

REMARKS

Applicant expresses appreciation to the Supervisory Examiner for consideration of the subject patent application. This amendment is in response to the office action mailed March 9, 2010, in which claims 1-21 were rejected. Claims 1-21 remain in the application. Applicant proposes to amend claims 1, 3, 12, 13, 19 and 21.

Amendments to the Specification

Applicant has amended the specification as requested by the Supervisory Examiner to correspond with the amendments made to the claims. Applicant submits that the amendments made to the specification do not comprise new matter, and that each amendment is properly supported by the original disclosure. Specifically, FIGS. 1 and 2, as originally filed, clearly illustrate a handle 12 having a handle aperture 15 formed in a sidewall thereof. In addition, FIGS. 1, 2 and 4 as filed clearly illustrate a finger actuator 16 having a translating shaft 28 that extends in opposing directions, along the same axis, from a finger receiving section or portion 30 at least partially beyond the handle aperture 15.

Amendments to the Drawings and Submission of Formal Drawings

Applicant is submitting with this response a set of formal drawings to replace the informal ones originally filed with the application. No new matter is set forth in these drawings.

In addition, Applicant has amended the drawings from those as originally filed as suggested by the Supervisory Examiner in the most recent interview to correspond with the amendments made to the specification and claims. Specifically, Applicant has amended FIGS. 1, 2, and 4 as set forth in Replacement Sheets 1/4 and 2/4. FIGS. 1 and 2 were amended to provide a reference number for the handle aperture (see handle aperture 15) formed in the sidewall of the handle 12. FIG. 2 was amended to provide a reference number for the translating shaft 28 and finger receiving portion 30. FIG. 4 was amended to include reference number 16 on each of the various finger actuator embodiments, as well as to identify finger receiving portions 30a, 30b, 30c, and 30d of the various finger actuator embodiments. Along with the other Replacement Sheets being submitted herewith, Applicant is submitting Replacement Sheets 1/4 (illustrating amended FIGS. 1 and 2), and 2/4 (illustrating amended FIG. 4), which illustrate the changes to

the drawings, as indicated above. Applicant submits that the amendments made to the drawings do not comprise new matter, and that each amendment is properly supported by the application as originally filed.

Claim Rejections - 35 U.S.C. § 102

Claims 1 and 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2004/0199195 to Dumontelle.

In response, applicant has adopted the amendments discussed with the Examiner in the interview held June 17, 2010. In that interview, an agreement was reached that such amendments would overcome the current rejections, thus placing the application in a condition for allowance. Applicant submits that Dumontelle fails to anticipate claims 1 and 21 of the present invention. Specifically, Dumontelle fails to disclose at least **a finger actuator that comprises a translating shaft that extends in a forward direction from a finger receiving portion, and in a rearward direction from the finger receiving portion beyond the handle aperture and along the same axis.**

Based on the foregoing, Applicant respectfully submits that Dumontelle does not anticipate claims 1 and 21 of the present invention, and that these claims stand in a condition for allowance. As such, Applicant respectfully requests that the rejection under 35 U.S.C. § 102 be withdrawn from consideration.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 2, 5, 6, 9-12, 15-19, and 21 (including independent claims 1, 12, 19 and 21) stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,074,408 to Freeman in view of Hollender.

The Freeman and Hollender references, when combined, do not teach or suggest all of the elements of independent claims 1, 12, 19 and 21. Specifically, the Freeman reference does not teach **a finger actuator that comprises a translating shaft that extends in a forward direction from a finger receiving portion, and in a rearward direction from the finger receiving portion beyond the handle aperture and along the same axis.** Moreover, the Hollender reference does not overcome this deficiency. Applicant has amended independent

claims 1, 12, 19 and 21 in accordance with the agreement reached with the Supervisory Examiner during the interview held June 17, 2010, wherein the Supervisory Examiner agreed that an amendment to the claims to recite that the translating shaft of the finger actuator extends from the finger receiving portion in opposite directions along the same axis, and that the translating shaft extends beyond the aperture would be allowable over the prior art of record.

Therefore, Applicant respectfully submits that independent claims 1, 12, 19 and 21 are allowable. Applicant also respectfully submits that dependent claims 2, 5, 6, 9-11, 15-18 are allowable as these claims place further limitations on their respective base claims. In light of the above arguments, applicant respectfully submits that the claims are patentable over the cited combination of prior art references, and urges the Examiner to withdraw the rejection.

Claims 3 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Freeman in view of Hollender as applied to claims 2 or 12 above, and further in view of U.S. Patent No. 4,043,323 to Komiya. Applicant submits that claims 3 and 13 are allowable as depending from allowable independent claim 1 and 12, respectively, and urges the Examiner to withdraw the rejection.

Claims 4, 14 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Freeman in view of Hollender as applied to claims 2, 12, or 19 above, and further in view of U.S. Patent No. 5,258,006 to Rydell et al. Applicant submits that claims 4, 14 and 20 are allowable as depending from allowable independent claims 1, 12, and 19, respectively, and urges the Examiner to withdraw the rejection.

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Freeman in view of Hollender as applied to claim 6 above, and further in view of U.S. Patent No. 6,077,286 to Cuschieri et al. Applicant submits that claim 7 is allowable as depending from allowable independent claim 1, and urges the Examiner to withdraw the rejection.

CONCLUSION

In light of the above, Applicant respectfully submits that the claims are now in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call the undersigned at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 9th day of August, 2010.

Respectfully submitted,

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